

10:06:39 1 A. No, I do not.

10:06:39 2 Q. But if they need fiber -- they don't own
10:06:44 3 fiber, right? They have to order it from SWBT, correct?

10:06:46 4 MR. HARTLEY: Object to form.

10:06:47 5 A. Don't know.

10:06:48 6 Q. Well, or another third party. You just
10:06:50 7 testified they don't own fiber.

10:06:53 8 A. This -- that's based on my recollection of
10:06:56 9 several years ago. Now, what they do now, I don't know.

10:06:59 10 Q. Okay. Have you ever heard of a situation
10:07:01 11 where ASI owned fiber?

10:07:04 12 A. Huh-uh, but then, again, I can't tell you,
10:07:09 13 because I'm not in that group any longer.

10:07:15 14 MR. CRAWFORD: Object, non-responsive.

10:07:16 15 Q. Have you ever heard, in your 31 years working
10:07:19 16 for SWBT, whether or not -- any situation where ASI owns
10:07:23 17 fiber?

10:07:29 18 A. No.

10:07:39 19 Q. But you're telling me you do know that they'll
10:07:42 20 regularly procure it one way or the other from SWBT?

10:07:45 21 MR. HARTLEY: Object to form.

10:07:49 22 Q. You do know those examples, correct?

10:07:56 23 A. I don't know how to -- probably have to ask
10:08:01 24 that question differently.

08:02 25 Q. What part don't you understand, sir?

10:08:05 1 A. Everything that we do is based on us ordering
08:14 2 the facility, not them. You phrase that if they're
10:08:28 3 ordering it from us. We place the order. We initiate
10:08:31 4 the request that forces the order to go through the
10:08:33 5 system. We are expecting it.

10:08:35 6 Q. So you get the build going and then tell them
10:08:38 7 to go ahead and place the order through the system and
10:08:40 8 the build will be there?

10:08:41 9 A. Right.

10:08:42 10 Q. Okay.

10:08:43 11 A. I agree with you there, yes.

10:08:45 12 Q. So ASI's orders are provisioned based on the
10:08:50 13 build you had already initiated?

10:08:51 14 A. Correct.

10:08:51 15 Q. By working with NSS?

10:08:59 16 A. Right.

10:09:00 17 Q. So because of that structure where you
10:09:02 18 initiate the build first, then have ASI place the
10:09:05 19 orders, can you conceive of any reason why ASI's orders
10:09:12 20 would not be fulfilled for lack of facilities, or should
10:09:15 21 those facilities already be in progress?

10:09:19 22 A. They should be in progress or in place.

10:09:22 23 Q. So that ASI's orders can be fulfilled?

10:09:26 24 A. Right.

09:27 25 Q. Okay. Now, you had talked about examples

10:09:40 1 where global markets had made a sale.

10:09:44 2 A. Yes.

10:09:45 3 Q. Does ASI make its own sales direct sometimes?

10:09:53 4 A. Based on my past experience, yes, they send
10:09:58 5 their separate requests to NSS.

10:10:00 6 Q. Okay. So give me an example so that we can
10:10:03 7 work with an example where ASI has made a direct sale to
10:10:08 8 a retail customer?

10:10:10 9 A. Based on when I was in NSS, they would come
10:10:14 10 through their regional marketing person as a request to
10:10:19 11 NSS to check facilities.

10:10:21 12 Q. Okay.

10:10:21 13 A. And the process would be the same from there
10:10:24 14 at that point on.

10:10:28 15 Q. So there were times when ASI makes a sale to a
10:10:34 16 large customer that required certain circuits be in
10:10:37 17 place, correct? They would need certain capacity out of
10:10:42 18 a network?

10:10:43 19 A. Yes.

10:10:44 20 Q. And their next step would be to ask NSS by,
10:10:51 21 what, sending a request to the NSS guys asking whether
10:10:54 22 or not that capacity was available on the system?

10:10:57 23 A. Yes. Through their -- their contact, their
10:11:01 24 regional marketing contact.

11:04 25 Q. ASI's regional marketing contact?

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10:11:08 1 A. Right.

11:09 2 Q. Which is their salesperson, right?

3 A. Right.

10:11:11 4 Q. So the ASI regional salesperson would send a

10:11:14 5 request to SWBT NSS asking whether or not these

10:11:16 6 facilities are available because a customer wants them?

10:11:18 7 A. Right.

10:11:19 8 Q. And NSS might say yes, right?

10:11:22 9 A. Yes.

10:11:22 10 Q. That would be one option --

10:11:24 11 A. Yes.

10:11:24 12 Q. -- they could come back with?

10:11:26 13 A. Yes.

10:11:28 14 Q. Another option would be no, they're not, but

10:11:33 15 it makes sense to build them, so we will fund it for

10:11:41 16 you?

10:11:42 17 A. No, I wouldn't say it that way.

10:11:44 18 Q. Okay. How would you say it?

10:11:48 19 A. We would say facilities do not exist. We

10:11:51 20 would have to build facilities and this is how much --

10:11:53 21 we would either decide -- at the time that I was doing

10:11:57 22 it, we would say it would fund or not fund.

10:12:05 23 Q. Okay. Then this happened like, for instance,

10:12:07 24 when you were at the NSS?

12:09 25 A. Right.

10:12:09 1 Q. So you would then tell the ASI sales rep, yes,
12:14 2 it's funded or no it's not funded?

10:12:16 3 A. Right.

10:12:17 4 Q. Okay. In the cases where you decide -- and
10:12:22 5 when you say funded, you're talking about, yes, we will
10:12:23 6 go ahead and achieve the necessary build-out or other
10:12:27 7 augmentation to the network required to meet your
10:12:30 8 circuit needs?

10:12:31 9 A. No. It just says that the revenue that's
10:12:35 10 coming on that case meets the hurdle rate. There's
10:12:40 11 pay-back involved.

10:12:42 12 Q. It has to be cost justified?

10:12:44 13 A. Correct.

10:12:45 14 Q. So when you say funded, you're saying to the
10:12:47 15 ASI person, we have agreed that your request is cost
10:12:51 16 justified so it's worth it for us to expend the capital
10:12:54 17 to do the build-out for your circuit needs?

10:12:58 18 A. Correct.

10:12:59 19 Q. Then you at NSS would send that response back
10:13:03 20 to the ASI salesperson?

10:13:04 21 A. Yes.

10:13:05 22 Q. At that point, would he execute the contract
10:13:08 23 with the customer?

10:13:09 24 A. I would presume so.

13:10 25 Q. Okay. And then once he has a contract with

10:13:13 1 the customer, what would he do with his order?

10:13:17 2 A. Send a sold notice to NSS. It all processes

10:13:22 3 the same then.

10:13:22 4 Q. He would send the order to NSS?

10:13:25 5 A. No -- well, send the sold notice to NSS.

10:13:28 6 Q. Okay. Sold notice goes to NSS. Does he place

10:13:29 7 the order then through the access service center?

10:13:31 8 A. Not until we build the facility for it.

10:13:34 9 Q. So you wait until he -- how does he know to

10:13:38 10 sit on the circuit order until the facilities are built

10:13:42 11 for him?

10:13:42 12 A. Because he is then included -- he is included

10:13:45 13 in that project meeting.

10:13:49 14 Q. Okay.

10:13:51 15 A. Just like the global accounts person is.

10:13:53 16 Q. Okay. So -- let's assume that you needed to

10:13:58 17 build a SONET ring for this ASI salesperson. He would

10:14:03 18 be included in the project meeting kick-off. You say,

10:14:05 19 look, this is what we are going to do, we are going to

10:14:07 20 build your two-node or three-node SONET ring so that

10:14:11 21 you, ASI, can serve your customer. It will take three

10:14:15 22 months, for instance. At the end of the three months

10:14:17 23 you notify them that the build is complete, right?

10:14:20 24 A. Right.

10:14:20 25 Q. And he says, great, you're on time, happy to

10:14:23 1 hear it, and then proceeds to submit the orders to the
10:14:27 2 ASC, access service center?

10:14:30 3 A. We will basically ask him to submit the orders
10:14:33 4 at that time, yes.

10:14:33 5 Q. And then they go through the relevant
10:14:37 6 databases, such as SORD, and go right through the system
10:14:39 7 and get provisioned?

10:14:40 8 A. Correct.

10:14:42 9 Q. Okay. What examples can you think of where
10:14:53 10 you followed this process with ASI when ASI made direct
10:14:59 11 sales to its customer?

10:15:12 12 A. That's been -- that's been a year-and-a-half
10:15:19 13 ago and there's been too many cases, too much to
10:15:23 14 remember any specific one.

10:15:27 15 Q. Okay. You mean you can't remember the exact
10:15:29 16 customer involved?

10:15:30 17 A. Yes, I can't remember --

10:15:31 18 Q. What type of facilities did you build for ASI
10:15:34 19 following the procedure we have just discussed, SONET
10:15:37 20 rings?

10:15:37 21 A. That's all we build, SONET rings.

10:15:40 22 Q. All fiber based SONET rings?

10:15:42 23 A. Uh-huh.

10:15:44 24 Q. Okay. Did those SONET rings have diversity?

15:51 25 A. Only if it was requested within the case.

10:15:56 1 Q. So if it had been requested, you would have
15:59 2 included diversity in the SONET ring?

10:16:01 3 A. The answer would have included it back to them
10:16:05 4 for the funding or not funding issue.

10:16:11 5 Q. Right. But if ASI and ASI's customer
10:16:16 6 requested diversity and it was cost justified, then you
10:16:18 7 would build out diversity for ASI?

10:16:21 8 A. We would agree to it. We would agree to the
10:16:24 9 funding.

10:16:24 10 Q. And you would proceed to build out the
10:16:27 11 diversity --

10:16:27 12 A. I would hand it off to the project person that
10:16:30 13 would be responsible for it.

10:16:31 14 Q. Right. But when the SONET ring was
10:16:34 15 constructed, it would have diversity then?

10:16:38 16 A. Depending on the type they requested.

10:16:57 17 Q. Okay. What was the last time you worked with
10:17:12 18 any ASI people, other than the VA deal and the El Paso
10:17:22 19 global networks deal?

10:17:23 20 A. That's pretty much the last ones we have dealt
10:17:26 21 with.

10:17:30 22 Q. Other project managers may be working with
10:17:32 23 them, but you just haven't had occasion to, right?

10:17:35 24 A. Right.

17:59 25 Q. What is your region as a senior project

10:18:02 1 manager for global markets?

18:04 2 A. Texas.

10:18:04 3 Q. All of Texas?

10:18:06 4 A. Primarily Houston.

10:18:07 5 Q. How many project managers are there in global

10:18:10 6 markets?

10:18:15 7 A. There's -- in Texas there's five of us.

10:18:19 8 Q. Okay.

10:18:20 9 A. I think it's five.

10:18:20 10 Q. And you're primarily assigned to Houston?

10:18:23 11 A. Yes.

10:18:23 12 Q. And there's someone else that's primarily

10:18:26 13 assigned to Dallas?

18:27 14 A. Yes.

10:18:27 15 Q. And the other cities?

10:18:29 16 A. Yes.

10:18:30 17 Q. Okay. If -- and I don't want to beat a dead

10:18:46 18 horse here, but if global markets brings in a

10:18:51 19 significant contract and it doesn't involve any need to

10:18:59 20 bring in ASI, then that deal would be worked between

10:19:03 21 global markets and SWBT directly, correct?

10:19:05 22 A. Correct.

10:19:06 23 Q. And following the same pattern we discussed,

10:19:11 24 global markets would work directly with NSS when the

19:14 25 contract was signed to start the build-out, correct?

10:19:18 1 A. Correct.

10:19:20 2 Q. And then when the build-out is done -- does

10:19:24 3 global markets wait until the build-out is done before

10:19:27 4 they file the circuit orders with access service center?

10:19:35 5 Is that also the procedure?

10:19:37 6 A. Usually it's once we start building the SONET

10:19:42 7 ring in TIRKS, then I let them issue the order.

10:19:47 8 Q. How close to completion are you at that point

10:19:49 9 on the SONET ring?

10:19:51 10 A. Probably within 15 days.

10:19:54 11 Q. So as you approach the completion date of the

10:19:58 12 SONET ring, you'll go ahead and let the global markets

10:20:02 13 salesperson put the access service request into the

10:20:05 14 access service center?

10:20:07 15 A. Right.

10:20:08 16 Q. Okay. And I'm just curious, why do you wait

10:20:14 17 to put the orders in until the facilities are already

10:20:17 18 built or near completion?

10:20:22 19 A. If an order sits there in TIRKS, it may get

10:20:26 20 lost or forgotten about.

10:20:28 21 Q. Okay.

10:20:28 22 A. Or they can provision it, so what does --

10:20:34 23 it -- and I may have to go back and ask for date

10:20:37 24 changes.

20:37 25 Q. And they wouldn't be able to provision it

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10:20:39 1 because the facilities wouldn't be there?

10:20:40 2 A. Right.

10:20:41 3 Q. So one strategy in not -- in sitting on the
10:20:45 4 circuit orders until the facility is built is,
10:20:47 5 otherwise, the system would kick it out no facilities
10:20:50 6 available?

10:20:50 7 A. Right.

10:20:52 8 Q. Okay. What does a network sales support
10:21:02 9 manager do, which is the title you had when you worked
10:21:05 10 at NSS?

10:21:15 11 A. When -- during the time I was in NSS, we
10:21:18 12 received the cases, we coordinated -- at that time we
10:21:23 13 coordinated the build-out, because there was not project
10:21:27 14 managers in some areas. This is before the ASI. I'll
10:21:36 15 qualify it that way, before that happened. So basically
10:21:42 16 we did the cases, we did the funding, said it was funded
10:21:45 17 or not funded. We said -- we gave them the reply and we
10:21:49 18 expected a confirmation to build out. Then I would
10:21:52 19 issue the go letter and coordinate it to the end, or
10:21:56 20 have someone do it for me.

10:22:06 21 Q. Okay. And I want to understand. I want to
10:22:12 22 change your focus a little bit to when you were in NSS,
10:22:17 23 and also your current knowledge of NSS, and talk about
10:22:20 24 the facility check process --

10:22:21 25 A. Okay.

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10:22:22 1 Q. -- more specifically. We talked about it
22:23 2 generally before, but I want to talk about it more
10:22:26 3 specifically, and I want to get a better understanding
10:22:28 4 of how NSS assists SWBT's, the retail sales people, the
10:22:34 5 special access sales people. How does NSS assist them
10:22:39 6 with the provision of facilities?

10:22:41 7 A. They submit the case. NSS receives it,
10:22:49 8 processes it. At that time we have four to five days to
10:22:53 9 reply and then give it to the different groups for their
10:22:57 10 input. We reassemble it together and give that answer
10:23:01 11 back to the person requesting the service as to what the
10:23:06 12 interval would be and if it would fund or not fund.

10:23:09 13 Q. Okay. Because we heard yesterday from a
:23:12 14 special access salesperson where when they get an order
10:23:15 15 in the door, they type it into WALRSS.

10:23:18 16 A. Right.

10:23:18 17 Q. Is that the normal method?

10:23:20 18 A. That's the method that we -- that they're
10:23:23 19 using today and they used when I was there.

10:23:25 20 Q. I also imagine some -- some sales people,
10:23:29 21 whether retail or special access, just pick up the phone
10:23:33 22 and call the NSS?

10:23:34 23 A. Can't. We won't process one that way.

10:23:36 24 Q. Well, you give them answers off the top of
23:39 25 your head, though, don't you?

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10:23:42 1 A. I could, but with as many orders as we had, I
23:47 2 tried to keep from doing that.

10:23:49 3 Q. I have heard that you probably know every
10:23:56 4 piece of fiber in your area.

10:23:59 5 A. You probably heard correctly, but I don't know
10:24:01 6 if the facilities are available.

10:24:03 7 Q. Right. But if someone says, which is often
10:24:06 8 the case, do we even have fiber to this building, you
10:24:10 9 would generally be able to answer that in your region
10:24:12 10 off the top of your head with a fair degree of accuracy?

10:24:16 11 A. I wouldn't use off the top of my head. I
10:24:19 12 would use the database to verify it before I would tell
10:24:23 13 him to do it.

10:24:24 14 Q. Right.

15 A. If it was --

10:24:24 16 Q. If someone said -- if someone saw you at the
10:24:26 17 water cooler and said, oh, Ed, do we even have fiber
10:24:33 18 to 123 Main Street, you would have a fair shot at
10:24:35 19 knowing yes or no, right?

10:24:37 20 A. Fair shot.

10:24:39 21 Q. Okay. And did you ever see these guy in the
10:24:40 22 hallway, did they ever pick up the phone and sort of
10:24:44 23 check, and all they wanted was a swag, they didn't want
10:24:47 24 an absolute answer at that point in time?

24:49 25 A. Yes, they would do that.

10:24:51 1 Q. Because you work -- you're there to help the
24:54 2 retail sales guys and the special access sales guys,
3 right?

10:25:01 4 A. Anybody really.

10:25:01 5 Q. Any sales guys?

10:25:01 6 A. Any people that came through the cases.

10:25:02 7 Q. Who else comes through the cases besides
10:25:06 8 retail sales, special access sales?

10:25:07 9 A. Global.

10:25:08 10 Q. Global market sales?

10:25:10 11 A. Anyone selling a service within Southwestern
10:25:13 12 Bell.

10:25:14 13 Q. Okay. So the typical procedure now is they
25:27 14 put that inquiry or order into WALRSS, right?

10:25:31 15 MR. HARTLEY: Object to form.

10:25:32 16 A. Correct.

10:25:33 17 Q. NSS receives the WALRSS request, and what do
10:25:36 18 they do?

10:25:39 19 MR. HARTLEY: Object to form.

10:25:42 20 A. Go back and rephrase that for me.

10:25:44 21 Q. I'm happy to.

10:25:46 22 Your understanding is that the
10:25:49 23 salesperson will put the inquiry or the request for a
10:25:53 24 facility into the WALRSS system?

25:55 25 MR. HARTLEY: Object to form.

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10:26:00 1 Q. Isn't that right?

10:26:03 2 A. They --

10:26:04 3 Q. Let me restate it. Once a salesperson gets an

10:26:10 4 order, what do they normally do with it?

10:26:12 5 MR. HARTLEY: Object to form.

10:26:29 6 A. You're going to have to ask it differently for

10:26:33 7 me.

10:26:36 8 Q. Well, let's be a little more specific.

10:26:38 9 A. That's what I'm asking.

10:26:40 10 Q. Once a salesperson receives an order, say for

10:26:42 11 a SONET ring, what do they do with that order next?

10:26:47 12 MR. HARTLEY: Object, form. You can

10:26:50 13 answer if you know.

10:26:50 14 A. Okay. They'll input the order into the

10:26:56 15 system.

10:26:56 16 Q. The WALRSS system?

10:26:59 17 A. Which is -- today, yes. Back then it may have

10:27:02 18 been some other system. I can't remember what the

10:27:06 19 system name was, but WALRSS today, yes.

10:27:08 20 Q. And I'm asking more or less about today.

10:27:11 21 A. Yes.

10:27:11 22 Q. Okay.

10:27:12 23 A. Some things I'm not privy to, because I'm not

10:27:15 24 in that group any longer.

10:27:17 25 Q. And I only want you to testify about what

10:27:20 1 things you have experience with or knowledge of.

10:27:22 2 A. Yes.

10:27:23 3 Q. Where does that WALRSS -- the WALRSS order or

10:27:27 4 inquiry go to?

10:27:28 5 A. Goes straight to NSS.

10:27:30 6 Q. What does NSS do with it, that order or

10:27:33 7 inquiry?

10:27:35 8 A. We check it for accuracy, understandability.

10:27:44 9 Q. Understand what?

10:27:45 10 A. Understandability.

10:27:46 11 Q. Okay.

10:27:47 12 A. That we understand what they're asking for.

10:27:54 13 Or correctness of information, and then we basically

10:28:00 14 mail the copy of the case request to the outside plant

10:28:06 15 planner, contact, and the interoffice planner, if it

10:28:10 16 involves interoffice.

10:28:12 17 Q. Is that the IFCPC?

10:28:23 18 A. Right. And basically ask for the reply back

10:28:27 19 in whatever interval that type of case requests so we

10:28:32 20 have enough time to work on it, to get an answer back to

10:28:35 21 the originator.

10:28:37 22 Q. So -- say it's a SONET ring, when the answer

10:28:40 23 comes back from the OSP planner or the IFCPC person,

10:28:45 24 what's the typical possible responses you're going to

10:28:48 25 get back?

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10:28:52 1 A. The -- really the only response was that it
28:56 2 would fund or not fund and the interval.

10:29:06 3 Q. Do you receive any diagrams back?

10:29:08 4 A. Yes, from the groups, yes.

10:29:11 5 Q. From the what?

10:29:12 6 A. From the various groups, yes.

10:29:14 7 Q. Right. So when the OSP person or the IFCPC
10:29:20 8 person responds, it's also normal for them to include a
10:29:24 9 layout of the circuit or the ring, right?

10:29:28 10 A. As they can see it to be built.

10:29:32 11 Q. As they would plan on building it?

10:29:35 12 A. Right.

10:29:35 13 Q. And that's handed to NSS?

10:29:37 14 A. Right.

10:29:38 15 Q. With a fund -- at that point it would be with
10:29:41 16 a fund decision, right? If it's not funded, they
10:29:44 17 wouldn't send a design layout, would they?

10:29:47 18 A. They don't make that decision. NSS is the
10:29:50 19 only one that makes that decision.

10:29:52 20 Q. So they provide, what, financial
10:29:54 21 information --

10:29:54 22 A. Right.

10:29:54 23 Q. -- and a design layout to NSS?

10:29:57 24 A. Right.

29:58 25 Q. And NSS decides whether or not it should be

10:30:00 1 funded or not funded?

10:30:01 2 A. Correct.

10:30:02 3 Q. Okay. And then -- so when you said the OSP
10:30:08 4 planner or the IFCPC responds with fund or not fund,
10:30:13 5 that's not exactly correct, right?

10:30:15 6 A. Did I say that? I don't remember. NSS is the
10:30:19 7 only one that does the funding.

10:30:20 8 Q. They say fund or not fund, right?

10:30:21 9 A. No, we don't.

10:30:23 10 Q. NSS does?

10:30:25 11 A. Yes.

10:30:25 12 Q. So the OSP planner or the IFCPC person gives
10:30:31 13 you financial information back and discusses necessary
10:30:35 14 augmentations and equipment and fiber that may be
10:30:38 15 needed?

10:30:38 16 A. Correct.

10:30:39 17 Q. And also gives you a diagram of a proposed
10:30:43 18 circuit layout?

10:30:44 19 A. If it's -- if it's needed.

10:30:49 20 Q. It's typical to receive one of those back,
10:30:51 21 right? It's typical for them to send that to NSS?

10:30:56 22 MR. HARTLEY: Object to form.

10:30:56 23 A. It may be a diagram. It may be in words.

10:30:59 24 Q. Right. So it may be a written description or
31:02 25 it may be a diagram description of the circuit?

10:31:06 1 A. It's up to the person. There's no standard.

10:31:08 2 Q. Is it abnormal for NSS to receive a
10:31:12 3 description of the proposed circuit back from the OSP
10:31:15 4 planner or the IFCPC person?

10:31:18 5 MR. HARTLEY: Object to form.

10:31:19 6 Q. Is that abnormal?

10:31:21 7 A. Say that again.

10:31:22 8 Q. Is it -- when an NSS -- when the NSS receives
10:31:28 9 a response back from the OSP planner or the IFCPC
10:31:33 10 person, is it abnormal for them to receive a circuit
10:31:37 11 description or a circuit diagram proposed by that
10:31:40 12 person?

10:31:40 13 MR. HARTLEY: Object to form.

10:31:41 14 A. No.

10:31:44 15 Q. Okay. It's something that happens on a fairly
10:31:47 16 regular basis?

10:31:48 17 MR. HARTLEY: Object, form.

10:31:50 18 A. Yes.

10:31:53 19 Q. Then the NSS person takes the financial
10:31:59 20 information, the augmentation information and any design
10:32:04 21 layout or description provided by the OSP planner or
10:32:08 22 IFCPC person and makes the fund/no fund decision?

10:32:13 23 A. Correct.

10:32:17 24 Q. Once the --

10:32:19 25 A. That's based on two -- a year-and-a-half ago.

10:32:24 1 Q. Right. Do you have any understanding that
32:29 2 they're doing it any different right now?

10:32:31 3 A. I know they're doing it differently, but I
10:32:33 4 can't explain it. They haven't explained it to me.

10:32:37 5 Q. So the NSS has changed their procedures in the
10:32:41 6 last, would you say two-and-a-half years?

10:32:44 7 A. Uh-huh.

10:32:45 8 Q. Is that yes?

10:32:46 9 A. Yes. I'm sorry.

10:32:48 10 Q. I'll remind you, you have to say yes or no.

10:32:51 11 A. Yes, I'm sorry. I was sitting there trying
12 to --

10:32:53 13 MR. HARTLEY: Unless the answer is other
10:32:55 14 than yes or no.

10:32:55 15 A. Yes.

10:33:03 16 Q. And at that point, once, say, NSS makes the
10:33:06 17 decision to fund the build, what -- how do they
10:33:10 18 notify -- what step do they do next?

10:33:13 19 A. It's a reply in the -- the NSS tool that sends
10:33:20 20 the notice back to the originator to say it's -- the
10:33:28 21 case is basically funded or not funded, the interval
10:33:32 22 that it will take to build it, and we are waiting on
10:33:37 23 their confirmation of sale. Basically sign -- put our
10:33:46 24 name and phone number and just wait.

33:49 25 Q. What about the circuit description? What do

10:33:51 1 you do with that?

33:52 2 A. Keep it.

10:33:56 3 Q. Back when you were in NSS, you would keep the
10:34:01 4 circuit description and not provide it to the
10:34:03 5 salesperson?

10:34:03 6 A. It wasn't my responsibility to give it to him.

10:34:12 7 Q. So you would keep it?

10:34:12 8 A. No, I would not.

10:34:12 9 Q. Did they ever request a circuit description or
10:34:16 10 design layout record or something like that for the
10:34:19 11 customer?

10:34:19 12 A. Occasionally.

10:34:21 13 Q. And would you provide it?

10:34:24 14 A. It was in words in the response in the case --
10:34:30 15 in the -- it was a text reply.

10:34:39 16 Q. So if the salesperson requested a circuit
10:34:42 17 description, you would provide it to them, but it would
10:34:44 18 probably be in words?

10:34:45 19 A. That was the only way I had to reply to them.
10:34:49 20 I couldn't reply to them any other way.

10:34:52 21 Q. Right. So it was in words, right? Is that a
22 yes?

10:34:59 23 A. Yes. I'm just sitting here thinking when
24 you're talking.

35:00 25 Q. And that circuit description would at a

10:35:03 1 minimum include drop points and node, correct?

10:35:07 2 A. If that's what was requested on his case, or a
10:35:11 3 description of that type of thing.

10:35:18 4 Q. Right. If nodes were involved in that circuit
10:35:21 5 and he requested a circuit -- some circuit information,
10:35:25 6 you would provide him a listing that included the nodes,
10:35:27 7 right? You would provide a circuit description that
10:35:31 8 included those nodes?

10:35:33 9 A. Well, usually it was obviously the case, so I
10:35:36 10 didn't really I have to tell him a whole lot. That's --
10:35:41 11 I guess that's what I'm driving at.

10:35:45 12 Q. Your circuit description would include the
10:35:46 13 node, correct?

10:35:46 14 A. That I would -- we would need to build a
10:35:48 15 three- or four-node ring to satisfy that service
10:35:51 16 request.

10:35:52 17 Q. Wouldn't you tell him where the nodes are,
10:35:55 18 which COs, for instance?

10:35:56 19 A. He tells us.

10:35:57 20 Q. And you would agree to match those nodes,
10:35:59 21 right?

10:36:00 22 A. Right.

10:36:00 23 Q. Now, once you did get the sold order and you
10:36:04 24 proceeded with the kick-off meeting, was it acceptable
36:09 25 for the salesperson to attend the kick-off meeting?

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10:36:12 1 A. Yes.

10:36:13 2 Q. Did that happen on occasion?

10:36:19 3 A. Not often, the way I was doing it.

10:36:23 4 Q. But it did happen?

10:36:25 5 A. If we had to have a meeting, we would invite

10:36:28 6 them.

10:36:28 7 Q. Okay. Invite the salesperson?

10:36:31 8 A. Right.

10:36:32 9 Q. Okay. And at that point the salesperson would

10:36:35 10 clearly understand the circuit design?

10:36:37 11 A. We would have a final serving plan, all the

10:36:41 12 details at that time, to go forth.

10:36:45 13 Q. Is the serving plan first drawn up at the

10:36:49 14 kick-off meeting or before the kick-off meeting?

10:36:52 15 A. Before the kick-off meeting.

10:36:54 16 Q. Who draws up the serving plan?

10:36:58 17 A. It depends on if it's loop or IOF or a

10:37:01 18 combination. If it's loop only, it will come from the

10:37:04 19 planning side. If it's IOF, it will come from the

10:37:10 20 IFCPC. If it's a combination, the IFCPC planner would

10:37:15 21 have to combine the two answers together as a package to

10:37:18 22 us.

10:37:19 23 Q. All right. Is it your understanding now that

10:38:04 24 the only way the sales people for SWBT communicate with

38:07 25 NSS is through the WALRSS system?

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10:38:09 1 A. Correct.

38:10 2 Q. They're really not allowed to pick up the
10:38:13 3 phone and call NSS direct anymore?

10:38:15 4 MR. HARTLEY: Object to form.

10:38:16 5 A. That I don't know. We have discouraged it.

10:38:22 6 Q. Do you know that to be the case now, too?

10:38:26 7 A. I really don't know.

10:38:29 8 Q. Okay. Fair enough.

10:38:48 9 Now, when NSS is determining whether
10:38:51 10 facilities are available or not available, what
10:38:53 11 information does it have at its disposal to make that
10:38:56 12 determination?

10:38:59 13 A. Only the replies that we get back from the
:39:01 14 people that we send them to.

10:39:03 15 Q. Well, NSS has, for instance, TIRKS database
10:39:07 16 access?

10:39:07 17 A. No.

10:39:08 18 Q. NSS doesn't have TIRKS access?

10:39:13 19 A. I think I was the only one in the group that
10:39:16 20 did.

10:39:19 21 Q. Certainly if someone in NSS wants TIRKS
10:39:21 22 access, they could get it, correct?

10:39:23 23 A. They could get it, but it's not their call to
10:39:28 24 check the facilities. We ask the other people to do
39:32 25 that.

10:39:33 1 Q. Okay.

39:33 2 A. It's -- it's not my job to check the

10:39:39 3 facilities. It's their job to give me a reply.

10:39:41 4 Q. But if you wanted to know -- understanding the

10:39:45 5 process, it wasn't your obligation, it wasn't your call,

10:39:48 6 but if you wanted to know what facilities were available

10:39:50 7 on your own, how would you find that out?

10:39:53 8 A. I would use TIRKS or I would go ask somebody,

10:40:03 9 but I would not necessarily have the -- a need to

10:40:07 10 have -- unless I had a case to process.

10:40:09 11 Q. Right. Now, today as a project manager in

10:40:17 12 global markets, what information is available to you to

10:40:20 13 determine facility availability?

10:40:24 14 A. When the hand-off meeting is done to me, they

10:40:31 15 tell me if construction is required.

10:40:33 16 Q. You don't have TIRKS access today?

10:40:35 17 A. I have it, but I don't need it for that

10:40:37 18 purpose.

10:40:37 19 Q. But you have TIRKS access, right?

10:40:39 20 A. Yes, but I don't use it for that purpose.

10:40:41 21 Q. Okay. And if somebody wanted to -- if you

10:40:44 22 wanted to pull up TIRKS and find out what service is

10:40:49 23 available to a certain building, you can do that, right?

10:40:52 24 Physically you have the information at your fingertips

40:54 25 that would allow you to do that, correct?

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